

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS SECTION 01 OF 03 KIEV 000656

SIPDIS

SENSITIVE

DEPARTMENT FOR EUR/UMB

E.O. 12958: N/A

TAGS: [PGOV](#) [PHUM](#) [KDEM](#)

SUBJECT: UKRAINE: FOURTH ELECTION ROUNDTABLE

REF: A. KIEV 481

[B](#). 05 KIEV 5135

[C](#). 05 KIEV 4892

(U) Sensitive but unclassified. Not for Internet distribution. Please handle accordingly.

[1](#)1. (SBU) Summary: At an Ambassador-hosted roundtable on the March 26 Rada (Parliament) and local government elections February 14, NGO representatives felt that while most voters were aware of the shift to elections based on party lists, this awareness dropped off significantly in rural areas. NGO representatives were concerned that voters were still making their decisions based on personalities as opposed to party platforms, a phenomenon perpetuated by vague party platforms and candidates' tendency to switch parties. Participants thought that political parties had little control over their party lists, particularly in the local elections, noting instances where prominent figures with few connections to the party appeared on the list, as well as situations where people with suspect/criminal backgrounds appeared on the lists. Also of concern were reports that positions on local election lists were being sold to the highest bidder and that local political operators were hedging their bets by placing their representatives on multiple lists. NGO representatives noted that administrative resources were being used very rarely, but that there was a significant amount of dirty campaigning, including mudslinging and fake campaign materials meant to impugn opponents. Participants noted that journalists were now much freer to cover the elections, but noted that it was very common for political parties to pay journalists for coverage. Participants also noted that possibility of legal challenges to the elections due to inconsistencies in the election law. End summary.

[1](#)2. (SBU) In preparation for the March 26 Rada (parliament) and local elections, Ambassador hosted the fourth in a series of roundtable discussions with NGO representatives February 14, reprising a successful series of roundtables held during the run-up to the 2004 presidential elections.

Voter Awareness: Making the switch to party lists

[1](#)3. (SBU) On the subject of voter education and the shift to voting by proportional representation, Inna Pidluska of the Europe XXI Foundation noted that, while citizens were well-informed in larger cities, inhabitants of small towns were less informed. Pidluska cited a recent poll showing that up to 45% of citizens in small communities were not aware of the shift to proportional representation (PR) in the Rada election and up to 60% were not aware that local elections would be held by PR. Alla Tyutyunyk from the Kherson Regional Charity and Health Foundation observed that while many people knew they would be voting for parties and not for individual candidates, people had not adapted their decision-making to this new reality, with most people making their choices based on personalities in the party and not on party platforms. Andriy Hevko from Pora (Black Pora, the NGO, not to be confused with Yellow Pora, the political party) agreed, and noted that candidates running for different offices on different party lists at the local level only confused the situation further.

Local lists: Confusion and subversion?

[1](#)4. (SBU) Pidluska from the Europe XXI Foundation commented on political parties' weakness at the local level, which encouraged candidates to "party hop." The parties' lack of central control over their lists often led to candidates with suspicious or criminal records being inserted on the lists. Hevko from Pora echoed this concern, noting that one of the political blocs in Ternopil was headed by a known racketeer from the early 1990s. (Note: Local SDPU(o)-led Ne Tak! bloc chairman and mayoral candidate Vova Marynovych, we have heard separately, is openly known to be head of the Ternopil mafia).

[1](#)5. (SBU) Tetyana Lebbedva from the Independent Association of Broadcasters noted that individual personalities were still more important than party lists, and that people were being

brought onto the lists for their local connections. Lebedeva offered examples, including a case in Odesa where the leader of Bloc Yuliya Tymoshenko (BYuT) and likely candidate for governor was a member of a different party in the Rada and had not been a supporter of the Orange Revolution. It was similar with the Our Ukraine (OU) bloc list in Dnipropetrovsk, where most of the candidates had no previous affiliation with the bloc parties. (Note: Oblast Council chief and former governor Mykola Shvets, a Kuchma-era mainstay who actively opposed the Orange Revolution and is on PORAs "black list" of politicians, is number one on OU's oblast council electoral list.) This was losing OU support in Dnipropetrovsk, Lebedeva claimed. In this vein, Ihor Popov from the Committee of Voters of Ukraine (CVU) lamented the fact that, while 80% of eligible voters were expected to vote, few people had read the electoral programs.

Party lists: Pay to play -----

16. (SBU) Tyutunyk from the Kherson Regional Charity and Health Foundation commented that prominent local figures were inserting "their people" on a number of local party lists so that whoever won the election, they would be covered, making the use of administrative resources unnecessary. Tyutunyk went on to comment that she was dumbfounded when she (a self-professed Orange supporter) realized that in Kherson there were more "decent" people on the Party of the Regions list than on the OU list. Tyutunyk also related a scandal where a city head of the Green Party quit because all the top seats on their list were being sold. Tyutunyk told how her NGO wanted to have three members run for the Kherson city council, and approached BYuT about running on their list. Tyutunyk alleged that BYuT demanded that they join the party, have their newspaper write articles praising BYuT, and pay an unspecified amount of money; her NGO ultimately got one member placed on the electoral list of Rukh (Foreign Minister Tarasyuk's People's Movement Party) without having to pay money.

Admin resources are "so last year": Dirty campaigning is "in" -----

17. (SBU) When queried about the use of administrative resources, particularly with Mayors or Governors working to exclude candidates from the elections, Popov from the CVU responded that these cases were very rarely seen anymore. Popov opined that, while conventional wisdom used to say that administrative resources were the best way to win elections, now the weapon of choice was dirty election campaigning. Popov noted the proliferation of questionable campaign materials from unknown sources aimed at discrediting opponents, particularly in Donetsk and Luhansk. Popov also noted there were some instances of campaign activists getting beaten up. Tyutunyk from the Kherson Regional Charity and Health Foundation noted that, while law enforcement was not interfering with the campaign on any side, they also were not intervening to stop the ongoing slander. Tyutunyk also pointed to Kherson as a hotbed of dirty campaigning.

18. (SBU) When asked whether voters actually believed the slander, Pidluska from the Europe XXI Foundation commented that people could generally see through the misleading allegations, but nevertheless were paying attention to it and could be influenced by it. Marko Rachkevych from the Democratic Initiatives Foundation noted that public opinion was in danger of losing its credibility due to the number of fake polling companies that had shown up in Ukraine recently, citing a recent report on the internet-newspaper Ukrayinska Pravda about fictitious polling companies whose names closely resembled those of established polling companies. Rachkevych lamented the lack of a self-regulatory body to maintain standards among polling agencies in Ukraine.

Media environment: Free, but sometimes for sale -----

19. (SBU) Lebedeva from the Independent Association of Broadcasters noted that media had good access and could freely cover the elections in all regions. However, Oksana Maidan from CURE lamented the blurring of the line between journalism and paid advertising, noting that it was very common for political parties to pay journalists for coverage, and that some newspapers would not run political articles unless they received payment from the political party involved. Dmytro Krykun from Internews Ukraine commented that paid advertising helped the parties, but did not result in an informed electorate. Lebedeva noted that there were too few committed journalists and it was too easy just to take money and write what you were told. Lebedeva also noted the paucity of analytic coverage in the regional media, where journalists tended to just reprint press releases from political parties.

Legal challenges to elections? -----

¶10. (SBU) Volodymyr Steshenko from the Kharkiv Institute of Applied Humanitarian Research considered that challenges to the elections were a possibility, pointing up several inconsistencies in the local election law. Steshenko opined that many inconsistencies in the law could be dealt with by electoral commissions, but that local courts needed to be prepared to act as the arbiter of last resort in the elections. Pidluska from the Europe XXI Foundation noted that in this uncertain legal environment, courts could be used to improperly change the outcome of the elections, and that abuse of judicial authority for political ends was a possibility. Steshenko said his institute estimated that up to 80% of judges might be involved in settling some type of election dispute, and that appeals could drag on for months. Steshenko emphasized the need to prepare judges for election-related legal challenges and outlined his organization's training efforts along these lines.

¶11. (U) Visit Embassy Kiev's classified website:
www.state.gov/p/eur/kiev.
HERBST